

Serial No. 10/701,474
Amdt. dated October 2, 2007
Reply to Office Action of July 3, 2007

Docket No. HI-0173

REMARKS

Claims 1, 3-15, 17-25, and 27-37 are pending. Claims 1, 5, 6, 9-13, 17-24, 27-29, 31, 32, and 35 have been amended and claims 2, 16, and 26 have been canceled.

In the Office Action, claims 18 and 20-23 were rejected under 35 USC § 112, second paragraph, on grounds that the receiving step in claim 18 as originally filed is unclear. Claim 18 has been amended to recite “storing the received ATM cells in a cell buffer using cell buffer identifiers corresponding to respective ones of the stored ATM cells.” Applicants submit that this amendment is sufficient to overcome the § 112, second paragraph, rejection.

Claims 2, 6-15, and 26-37 were indicated to be allowable if rewritten into independent form to recite features of their base and intervening claims. Equivalently, claim 1 has been amended to recite the features of allowable claim 2 and claims 6, 9-13, and 15 have been amended to depend from claim 1. In addition, claim 24 has been amended to depend from allowable claim 26 and claims 27 has been amended to depend from claim 24. Applicants submit that these amendments are sufficient to place claims 1, 23, and their dependent claims into condition for allowance.

Claims 17, 24, and 25 were rejected under 35 USC § 103(a) for being obvious in view of a Cai-Keller-Tuberg combination. Applicants traverse this rejection for the following reasons.

Claim 17 recites that “when the number of data bytes in the message is greater than a payload capacity of the first ATM cell the method further comprises:

(a) generating an additional ATM cell by extracting additional data bytes from the message, the additional ATM cell generated based on the same cell header used to generate the first ATM cell, the same cell header including the same VPI/VCI and same payload type information as the first ATM cell;

(b) reducing the message length value based on the number of data bytes in the additional ATM cell; and if the message includes additional data bytes not included in the first or additional ATM cells, repeating (a) and (b) until the message length value is reduced to a predetermined minimum value.”

The Cai patent discloses dividing a message into a plurality of ATM cells and then transmitting those cells, only to be reconstituted at a receiver. The Keller-Tuberg patent discloses essentially the same subject matter as Cai, and that the plurality of ATM cells are generated based on virtual path and virtual channel information. (See column 3, lines 28-45). However, the Cai and Keller-Tuberg patents do not individually or collectively teach or suggest the features added by amendment to claim 17. Based on these differences, it is respectfully submit that claim 17 and its dependent claims are allowable over a Cai-Keller-Tuberg combination.

The rejection of claims 3-5 and 19 is traversed on grounds that the Susnow patent does not teach or suggest the features added by amendment to base claims 1 and 17.

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In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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